

June 17, 2008  
NOTICE OF REGULAR MEETING  
AND PUBLIC HEARING MEETING OF THE  
BENTON COUNTY PLANNING BOARD

WHEN: June 17, 2008

TIME: 5:30 p.m. The Benton County Planning Board will meet to receive Public Comments on any of the proposed projects on the agenda.

PLACE: Benton County Administration Building, 215 East Central Avenue  
Quorum Courtroom, 3rd Floor (Suite 324)  
Bentonville, AR 72712

**AGENDA FOR REGULAR PUBLIC HEARING**

1. **Call to Order**
2. **Roll Call**

The following Benton County Planning Board members were present: Scott Borman, Mark Gray, Bill Kneebone, Tim Sorey, and Heath Ward. Caleb Henry and Adele Lucas were absent. The following Benton County Planning Office staff members were present: Ashley Pope and Karen Stewart.

3. **Disposition of the Minutes of May 7, 2008 technical advisory committee meeting and the May 21, 2008 public hearing meeting as distributed**

Mr. Kneebone made a motion to accept the meeting minutes as distributed; Mr. Borman seconded the motion. Mr. Sorey indicated he had not yet read these minutes since they had been distributed at this meeting. Discussion followed about how soon the minutes can be available for review, and Ms. Pope stated that she would make them available as soon as possible and explained that preparing the "minutes at this level" is time-consuming. After further discussion, it was agreed that the TAC minutes will be more abbreviated, in order to facilitate quick distribution.

Mr. Borman, Mr. Gray, Mr. Kneebone, Mr. Sorey, and Mr. Ward all voted in favor of the motion to accept the meeting minutes as distributed.

4. **Reports of Planning Board members**

Mr. Borman noted that he would not be able to attend the next TAC meeting.

5. **Public Comment**

No public comment was made.

6. **New Business:**

A. Conceptual Large Scale Development – **Osage Creek Pavilion** - 14948 Logan Cave Road, Siloam Springs

Gregory Smith, 4606 East Valley Road, Fort Smith, AR 72903, represented the project.

Mr. Sorey clarified that this is not an extension request, but rather a re-approval. Ms. Pope noted this is only in concept; no construction approval has been granted. She stated that once the applicant had completed construction document that he would have to bring them back before the Board for approval.

Ms. Pope stated that Staff received one e-mail in opposition, from Lena Doughty, and read the e-mail, which stated “I am opposed to the pavilion that Greg Smith wants to build in the Logan community.”

Ms. Pope stated that Staff does not object to the proposal in concept, but there will be infrastructure issues that must be addressed prior to approval.

Mr. Sorey asked what the earlier minutes showed for conditions of approval, and Ms. Pope reported the following:

- Coordinate with the County on all road and bridge improvements
- Re-notify adjoining land owners when large scale plans are done
- Board to keep jurisdiction on land improvements
- A reliable source needs to notify the Board if agriculture such as cows and chicken ceases producing
- Grandfather clause is not applicable to this site at any time

Mr. Smith asked for clarification on “if agri is not producing”, and Ms. Pope responded that this meant the effects of the project on production of agriculture and livestock in the area.

Mr. Kneebone made a motion to approve the concept, and it was seconded by Mr. Ward. Mr. Borman, Mr. Gray, Mr. Kneebone, Mr. Sorey, and Mr. Ward all voted in favor of the motion; the motion was passed.

B. Final Plat - **Whispering Woods** - East High Meadows Road, Avoca - Steadfast, Inc.

Randy Ritchie, Steadfast, Inc., 12081 Centerpoint Church Road, represented the project. He presented compaction test results and revised plat that addressed the comments of the TAC meeting. He also stated that he had the Health Department approval, but he did not bring it.

Mr. Ritchie said he had contacted the City of Rogers, and they will waive jurisdiction on this project; he stated that the City of Rogers had forwarded an email to that effect to Benton County Planning Coordinator Kathleen Davis. Mr. Ritchie was scheduled to be at the City of Avoca meeting at 7 p.m., but the Staff there have verbally recommended approval. He has changed the drawing to show the old property boundary down the center line of the road. Mr. Ritchie stated that the drawing has been changed to show 25' of right-of-way to the County and that the name of the existing road was added. The applicant is dedicating 50' on the interior streets for County right-of-way. Mr. Ritchie said that he has the compaction test results but they have not yet been reported to the Road Department; he stated that Road Department personnel had been unavailable during the last week.

Ms. Pope asked whether the project involves only Lots 1 through 12; Mr. Richie confirmed that it does. Ms. Pope requested that Lots 13 – 19 be represented separately to indicate that they will be part of a future phase. Mr. Gray asked whether the drawing should be 18" x 24" for filing purposes; Mr. Richie said that he would provide that, and that the surveyor would sign them.

Ms. Pope stated that these items are still needed:

- The surveyor's stamp must be on the plat
- Approval from ADEQ
- Approval from Health Department
- Benton County Road Department sign-off on Morning Mist

Mr. Ritchie stated that he had spoken with Judi Spann in 911 Administration, who told him that the road names are still valid; he added that he would fax the Health Department approval to Staff.

Mr. Borman stated that a letter from Benton County Water District #1 even though Mr. Ritchie would be attending that meeting later on the same evening. Mr. Ritchie stated that he could forward that letter to Staff within a day or two. Mr. Ritchie noted that there should be a copy of the Health Department approval with the project's preliminary plat approval submission, but stated that he could provide another copy, if necessary.

Ms. Pope if drainage easements would be needed for the project; Mr. Richie stated that there are off-site water line easements to Benton County Water District #1.

Ms. Pope asked if the Board wished to grant contingent approval to the final plat application or if they wanted the applicant to come back before the Board once all of the stipulations had been met. Mr. Ward recommended that the Board grant contingent approval.

Mr. Ward made a motion that approval be granted contingent upon receipt of the final plat bearing the surveyor's stamp, the Health Department approval letter, the letter from Benton County Water District # 1, the delineation of lots 1 through 12, and the approval of the County Road Department. Mr. Gray seconded the motion. Mr. Borman, Mr. Gray, Mr. Kneebone, Mr. Sorey and Mr. Ward all voted in favor of the motion; the motion was passed.

C. Variance from Large Scale Development Regulations - **Hiway RV** – 14644 East Highway 62, Garfield

Larry Jenkins of Hiway RV (14644 East Highway 62, Garfield) represented the project.

Ms. Pope stated that the project involves expanding an existing business; Mr. Jenkins confirmed that he is simply adding 800 square feet to the east side of the existing 2400-square foot building. He is just adding floor space – no plumbing is involved. The area is currently used as yard space between the existing building and Mr. Jenkins' house.

Ms. Pope noted that Staff has not yet had a chance to review the project site, since the applicant just contacted Staff today. Mr. Sorey asked if a building permit would be required; Ms. Pope confirmed that it would.

Mr. Ward asked what is located to the rear of the building; Mr. Jenkins responded that the area has storage racks and another shed building.

Ms. Pope asked if there would be any change in use, additional traffic, or additional employees on-site; Mr. Jenkins said there would be no change in use or the number of employees, but that he hoped that traffic would increase. Ms. Pope asked what is currently inside of the building; Mr. Jenkins stated that it is a shop building in which he works on campers. He also stores RV parts.

Ms. Pope stated that the only information she had on this project is what she received the day of the meeting; she knew only that the Highway Department owns the property to the north of the site. Mr. Kneebone asked if the applicant had received approval of the existing building; Ms. Pope stated that she did not know the answer to that.

Ms. Pope noted that the project is less than 50% of the size of the existing building, and no new approvals would be needed for the existing driveway. She asked about the usage for the new

building, and Mr. Jenkins said it would be more floor space for accessories. Ms. Pope stated that she thought that the impact would be low.

Mr. Sorey stated that he saw no drainage, access, visibility or traffic impacts. Mr. Gray mentioned that typically a large scale development application requires public notification. Mr. Borman stated that he did not think that public notification would be an issue, “given the way the property sits and what he’s doing within the property.” He noted that the applicant’s own house is right next door to the business.

Mr. Borman made a motion to approve the waiver request, contingent on Mr. Jenkins securing all necessary permits and satisfying all County requirements; the motion was seconded by Mr. Kneebone.

Mr. Borman, Mr. Gray and Mr. Kneebone voted in favor of the motion; Mr. Sorey and Mr. Ward voted against the motion. The motion was passed.

#### 7. **Announcements**

- Ms. Pope announced that the Focus Group meeting was cancelled, due to the need to research input from the Zoning Committee. She anticipated that the Focus Group would meet in early July. Mr. Borman mentioned that he and some others would be attending a Watershed meeting on July 11th.
- Mr. Sorey stated that he would like to see the Board set a standard for small scale, straightforward projects so that they could be handled by Staff. There was discussion about whether this recommendation should be handled separately; Ms. Pope said that this could fit with the future revision of the Benton County “Blue Book”. The Board members agreed that this suggestion is not a top priority, since the entire “Blue Book” will be redone after the Planning process runs its course.
- Ms. Pope announced that the Senior Planner position vacancy had been filled.

#### 8. **Adjournment**

The meeting was adjourned at 6:10 pm.

Respectfully submitted,

Ashley E. Pope, Planning Director